

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A & C Department - Departmental proceedings under Rule 20 of APCS(CC&A)Rules, 1991 against Sri. P. Ram Mohan, Joint Registrar / DCO, WG, Eluru – Article of charges – Issued.

AGRICULTURE AND COOPERATION (VIG.III) DEPARTMENT

G.O Rt. No. 1232

Dated.10 /10/2013

Read the following:

1. RC. No. AR/CA/Enquiry / 2012, dt 12/04/2013 of the Addl. Registrar / Chief Auditor, O/othe CC&RCS, AP, Hyd.
2. The CC&RCS, AP, Hyd Letter No, Rc. No. 35549/2007/SG-3, dt. 29.07.2013.

* * *

ORDER :

It is proposed to hold an inquiry against Sri. P. Ram Mohan, Joint Registrar of Cooperative Societies in accordance with the procedure laid down in Rule 20 of the AP Civil Services (Classification, Control & Appeal) Rules 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which, and a list of witness by whom the article of charges are proposed to be sustained are also enclosed.

3. Sri. P. Ram Mohan, JR of Cooperative Societies is directed to submit within 10 days of the receipt of this charge memo, a written statement of his defense.

4. Sri. P. Ram Mohan, JR of Cooperative Societies is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri. P. Ram Mohan, JR of Cooperative Societies is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed on the material available.

6. Attention of Sri. P. Ram Mohan, JR of Cooperative Societies is invited to Rule 24 of the APCS(Conduct)Rules,1964 under which no Govt servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received in his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that the said Sri. P. Ram Mohan, JR of Cooperative Societies is aware of such a representation and that it has been made as his instance and action will be taken against him for violation of rule 24 of the APCS (Conduct) Rules, 1964.

PTO

7. The receipt of this order shall be acknowledged forthwith.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. D.SREENIVASULU
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri. P. Ram Mohan, JR of Cooperative Societies/DCO, Eluru, EG District.
(Through the CC&RCS, AP, Hyd)

Copy to the CC&RCS, AP, Hyd with a request to service the charge memo
on Sri. P. Ram Mohan, JR of Cooperative Societies and furnish his
dated acknowledgement.

The Dist Collector, West Godavari, Eluru.

SG-2 Section for making necessary entries in the SR of the
Individual

The SG6 Section in Head Office.

Stock file (SG.3) Sections)

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI P. RAM MOHAN, JOINT REGISTRAR OF COOPERATIVE SOCIETIES / DISTRICT COOPERATIVE OFFICER, WEST GODAVARI, ELURU.

That Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru committed the following irregularities / grave misconduct in as much as :-

Article of charge - I

That Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru has incurred excess expenditure i.e., Rs. 41.83 lakhs for construction of a new building for Cooperative Offices Complex in Collectorate Complex, Eluru without approval of the CC&RCS., AP., Hyderabad.

Basic of Charge:

The CC&RCS. AP. Hyderabad vide Proceedings Rc. No. 35549/2007/Admn-II, dt. 15.03.2012 has appointed Smt. G. Vijaya Lakshmi, Additional Registrar / Chief Auditor, O/o the CC&RCS, AP., Hyderabad to enquire about excess expenditure incurred by Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru i.e., Rs. 41.83 lakhs for construction of new building for Cooperative Offices in Collectorate Complex, Eluru without approval of the CC&RCS., A.P., Hyderabad.

The additional Registrar / Chief Auditor, O/o the CC&RCS., AP., Hyderabad in her report stated that the Joint Registrar / DCO., Eluru has proposed to construct a " Cooperative Office complex" from the fund available with the District Liquidation fund account and requested the District Collector, Eluru in letter Rc. No. 4410/2002/A, dated 17.07.2006 to provide a suitable land within the municipal limits of Eluru. The District Collector in Procs, Rc. No. E4/4653/2006, dated. 21.05.2007 has allotted 0.10 cents land in Sy. No. 39/56 at Collectorate, Eluru to Cooperative Department for construction of cooperative offices complex. As per note orders of the District Collector, dt. 14.09.2007, the Joint Registrar / DCO got estimates prepared by the Executive Engineer, District S.C. Service Cooperative Society Ltd., for Rs. 38.00 Lakhs.

The JR/DCO., Eluru in letter Rc. No. 4410/2002/A, dated. 13.11.2007 submitted the proposals along with estimates to the CC&RCS and requested to accord administrative sanction. The CC&RCS in proceedings Rc. No. 35549/2007/Admn-II, dated. 3.12.2007 accorded administrative sanction for construction of " Cooperative Offices Complex" consisting of (4) departmental offices i.e. DCO,DCAO, DI.C.O. and Sub-Di.C.O. Eluru with the estimated cost of Rs. 38.00 lakhs from the interest amount of District liquidation fund. Foundation stone was laid on 05.12.2007 by the then Hon'ble Chief Minister to the cooperative offices complex.

The District Collector vide Procs. Rc. No. 4410/2002/A, dated. 07.01.2008 has entrusted the construction work to the EE, District SC Society Ltd., Eluru with certain condition. Later the District Collector changed the executive agency and entrusted the work to EE., APEWIDC, Eluru.

The DCO, Eluru has opened a separate SB Account i.e. Building Fund account with A/C No. 202 at DCCB, Eluru for said construction work and requested the DLCO, Eluru to transfer interest amounts earned on Distinct Liquidation Fund to the building fund account. As per the instructions of the

DCO, Eluru from time to time, the DCLO., Eluru has transferred an amount of Rs. 79,00,000/- to the SB A/c No. 202.

As per the work entrustment given by the District Collector, the EE, APEWIDC had taken up the construction work and based on the work completion, the DCO, Eluru released an amount of Rs. 38.00 lakhs from time to time to EE duly obtaining note orders from the Dist Collector.

The EE, APEWIDC, Eluru in the letter No. 649/DM/DB/2008, dated 16.02.2010 has revised the estimate cost from Rs. 38.00 lakhs to Rs. 43.00 lakhs.

The JR/DCO, Eluru has incurred expenditure for the construction of Cooperative Offices Complex as detailed below:

Sl. No.	Type of Work	Expenditure
1.	Expenditure incurred for construction of building duly obtaining Administrative sanction from the CC&RCS.	Rs.38,00,000=00
2.	Excess expenditure incurred due to revised estimates	Rs. 5,00,000=00
3.	Interior work taken up in the ground floor and 1 st floor.	Rs. 8,00,000=00
4.	Additional works undertaken by the DCO, on his own	Rs. 28,83,000=00
	Total expenditure :	Rs. 79,83,000=00
	Un authorized expenditure	Rs. 41,83,000=00

Thus Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru had acted without competency for incurring such huge amounts and without prior approval of the CC&RCS, AP, Hyderabad which is unbecoming on the part of a senior officer of the department. Hence the charge.

Article of Charge – II:-

That Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru has fixed the rent to the private building occupied by the O/o the District Cooperative Officer, Eluru by increasing @ 5% for every two years with retrospective effect from 01.10.2003 against the orders of the Government.

Basic of charge:

The Additional Registrar / Chief Auditor, O/o the CC&RCS, AP, Hyd in her report stated that O/o the Joint Registrar / DCO, Eluru is functioning in a private building on monthly rent @ Rs. 5,050/- fixed by the R & B authorities as per the GO Ms. No. 35, Fin. & Plg (FW-EBS-PWD) Dept., dated 27.02.1997. The Govt in G.O. Ms. No. 63, (Expr.PW)Dept., dated 18.04.2011 have revised the rates for fixation of rent to the buildings occupied by the Government offices. The orders of the Government are applicable with effect from 01.04.2011. Further, the Government have also allowed for increase of rent @ 5% for every two years block period thereafter.

Prior to revision an amount of Rs. 5,050/- was fixed as rent to the building occupied by the DCO, Eluru which was fixed Rs. 2.75 per sft. for total plinth area of 1836 sfts. The Government have revised the rates increasing from Rs. 2.75 to Rs. 5.50 per sft. As per the revised rates fixed by the Government, the rent @ Rs. 10,100/- is payable to the house owners with effect from 01.04.2011 and increase of 5% rent is to be allowed with effect from 01.04.2013. But, contrary to the Government orders, the DCO, Eluru in proceedings ROC (Coopn) 98/2012-B, dt. 31.01.2012 has fixed the rent to the

private building occupied by the O/o the DCO., by increasing @ 5% for every two years with retrospective effect i.e. from 01.10.2003 which is against the instructions issued by the Government in G.O. Ms. No. 63. The JR/DCO, WG Dist, Eluru has paid excess amount of Rs. 54,648/- towards rent to the office building against the orders of the Government.

Thus Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru has acted against Government orders and paid excess amount of Rs. 54,648/- towards rent of the office, Hence the charge.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE –II

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI P. RAM MOHAN, JOINT REGISTRAR OF COOPERATIVE SOCIETIES / DISTRICT COOPERATIVE OFFICER, WEST GODAVARI, ELURU ARE PROPOSED TO BE SUSTAINED.

Additional Registrar / Chief Auditor, O/o the CC&RCS, AP, Hyderabad enquiry report furnished vide letter Rc. No. AR/CA/Enquiry/2012, dt. 12.04.2013.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE –III

List of witnesses by whom the article of charges framed against Sri P. Ram Mohan, Joint Registrar of Cooperative Societies / District Cooperative Officer, West Godavari, Eluru are proposed to be sustained.

Nil

// FORWARDED :: BY ORDER //

SECTION OFFICER